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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,917	04/21/2004	Kuo Chuan Wu	BA-22882	5641

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BUCKNAM AND ARCHER
1077 Northern Boulevard
Roslyn, NY 11576-1696

EXAMINER

UNELUS, ERNEST

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/828,917	Applicant(s) WU ET AL.	
	Examiner Ernest Unelus	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Fritz Fleming
FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
8/7/1006

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/10/2006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The instant application having Application No. 10/828,917 has a total of 15 claims pending in the application; there is 1 independent claim and 14 dependent claims, all of which are ready for examination by the examiner.

I. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

II. STATUS OF CLAIM FOR PRIORITY IN THE APPLICATION

As required by M.P.E.P. 201.14(c), acknowledgement is made of applicant's claim for priority based on applications filed on December 04, 2003 (Taiwan 092134254).

III. INFORMATION CONCERNING DRAWINGS

Drawings

3. The applicant's drawings submitted are acceptable for examination purposes.

IV. ACKNOWLEDGEMENT OF REFERENCES CITED BY APPLICANT

4. As required by M.P.E.P. 609(C), the applicant's submissions of the Information Disclosure Statements dated February 10, 2006 is acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending. As required by

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M.P.E.P 609 C(2), a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

V. OBJECTIONS TO THE SPECIFICATION

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: -- **Optical data storage device for a multimedia system** --.

VI. OBJECTIONS TO THE CLAIM

6. according to the applicant's specification, it appears that in claim 7, the applicant forgot to include "one of" after "including", before "CD-ROM".

VII. REJECTIONS NOT BASED ON PRIOR ART

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. **Claim 1** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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9. As per **claim 1**, the limitation "memory card reader" said writing means" (line 15) and "said personal computer" (line 27) renders this claim as vague and indefinite. There is no antecedent basis for the memory card reader and the personal computer. They were not previously mention.

10. **Claims 10, 11, and 14** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. As per **claims 10, 11, and 14**, theses claims contains the trademark/trade name "Macintosh, Tablet, Sony and Philips" . Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a multimedia device, and, accordingly, the identification/description is indefinite.

VIII. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. **Claims 1-13 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jae-Sung (EP 1117030) in view of Beckert et al. (US pat. 5,794,164).

14. As per **claim 1**, according to "A versatile optical storage driving device for multimedia audio/video system having a CD driver, a picture viewer, a DVD driver, a digital video recorder (DVR), a FM radio and a MP3 music CD player monolithically integrated in a single device", **this preamble is intended use.**

Jae-Sung discloses a versatile optical storage driving device (**disc player 2 in fig. 1**) comprising; a video/audio input/output selector, connected to a built-in/external device for inputting/outputting video/audio signal (**see paragraph 0025, which discloses "An output analog audio signal from the disc player 2 is transferred to an audio signal reproduction circuitry (typically referred to as a "sound card") 6 via a compact disc-read only memory (CD-ROM) interface. In the present embodiment, the audio signal reproduction circuitry 6 includes an auxiliary input terminal AUX, input/output (I/O) ports and a microphone input terminal Mic and is also connected to the CPU 4 of the computer via the data bus. The**

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audio signal reproduction circuitry 6 is adapted to process external audio associated data to reproduce and output an audio signal in a desired form. The construction and operation of the audio signal reproduction circuitry are well known in the art and a detailed description thereof will thus be omitted"); a video/audio encoder/decoder (**encoder 844 and decoder 842**), for encoding input video/audio signal before storing and for decoding stored video/audio signal before outputting to said built-in/external device through said video/audio input/output selector (**see paragraph 0038, which discloses "As stated previously, the disc player 2 may further include a decoder and encoder for decoding and encoding an MPEG file, respectively. By means of this construction, a real-time input audio signal can be compressed and stored in the form of an MPEG file, and MPEG audio data from the CPU can be decoded, amplified and reproduced through the speaker. The compressed and stored file may be transmitted to an external system over a data communication network."**); a microprocessor, for controlling the operation of said optical storage device/memory card reader in accordance with a key-in or pre-stored instruction and the read/write of the BIOS data of a computer's mother board (**Jae-Sung discloses a computer system having a CPU 4, which automatically does BIOS during booting, just like all other processor. See also paragraph 0024 and fig. 1**); an optical storage device (**hard disc 2 in fig. 1**), for reading/writing the encoded video/audio signal and data signal from said microprocessor through a bus switch (**see paragraph 0039**); a display controller (**The operating panel 42**), connected to said microprocessor for controlling the display of a status display (**see paragraph 0048, which discloses "The operating panel 42 and display (preferably, VFD) 28 are installed in the front part of the multimedia device, thereby allowing the user to conveniently control the**

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device and view the operating state of the device”); a status display (display 28), for displaying the operation status of said personal computer and said optical storage driving device (see paragraph 0031, which discloses “A display 28, which may preferably be a vacuum fluorescent display (VFD), is adapted to provide a visual indication of the operating state of the multimedia device to the user under the control of a VFD driver 29 connected to the microcomputer 22.”); a power amplifier (power amplifier 18), connected to said video/audio encoder/decoder for amplifying said input signal and decoded output audio signal (see paragraph 0028); and a speaker (speaker 10), connected to said power amplifier for outputting said amplified audio signal (see fig. 2). Jae-Sung fails to specifically disclose “a memory card reader, for reading/writing the encoded video/audio signal and data from said microprocessor through said bus switch connected to said microprocessor”.

Beckert discloses “a memory card reader (**smart card reader 42 in fig. 3**), for reading/writing the encoded video/audio signal and data from said microprocessor through said bus switch connected to said microprocessor” (see fig. 3).

Jae-Sung (EP 1117030) and Beckert et al. (US pat. 5,794,164) are analogous art because they are from the same field of endeavor of multimedia computer device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the multimedia device for a personal computer comprising a disc player connected to a central processing unit of the personal computer and adapted to play back compact disc as described by Jae-Sung and a vehicle computer system has a housing sized to be mounted in a vehicle dashboard or other appropriate location as taught by Beckert.

The motivation for doing so would have been because Beckert teaches (“**The computer 22**

includes at least one storage drive which permits the vehicle user to download programs and data from storage medium”)

Therefore, it would have been obvious to combine Beckert et al. (US pat. 5,794,164) and Jae-Sung (EP 1117030) for the benefit of creating a multimedia computer device for to obtain the invention as specified in claim 1.

15. As per **claim 2**, the combination of Jae-Sung and Beckert disclose “The optical storage driving device as set forth in claim 1,” [See rejection to claim 1 above] Jae-Sung discloses “Wherein said optical storage driving device further comprises a power-on detector, connected to a power supply on a personal computer (PC) and a bus switch, for determining the power-on status of said PC, said microprocessor controls said bus switch to release the standard interface between said PC and said optical storage driving device so as to conduct operation without an operating system (OS) of PC when PC is off, while once a PC power-on status is detected, said microprocessor controls said bus switch to resume the function of said standard interface so as to operate said optical storage driving device through said PC” (see paragraph 0045, which discloses “0045 A detection port 37 is connected to the multimedia device to check voltage (for example, 0 volt) when the multimedia device is not in operation and make a power control terminal 39 active in accordance with the checked result. At this time, a control circuit 38 functions to block the supply of power from the adapter 36, thereby causing all components in the computer to be supplied with power from the main power supply 35. The current control means shown in Fig. 3 may preferably include a DC-DC converter for, when the computer is powered on, supplying 12V DC power from the main power supply 35 to the multimedia device and blocking the supply of power from the adapter 36”).

16. As per **claim 3**, the combination of Jae-Sung and Beckert disclose “Wherein said optical storage driving device is of stand-alone type **[with respect to this limitation, see Jae-Sung, paragraph 0016]**.”

17. As per **claim 4**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage driving device is of portable type” **[with respect to this limitation, see Jae-Sung, paragraph 0010]**.

18. As per **claim 5**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage driving device can be built-in to a personal computer or externally connected thereto” **[with respect to this limitation, see Jae-Sung, paragraph 0012]**.

19. As per **claim 6**, the combination of Jae-Sung and Beckert disclose “wherein said built-in/external device can be a video/audio signal providing device and a video/audio signal player including television, projector, plasma display panel, liquid crystal display and monitor of a personal computer” **[with respect to this limitation, see Jae-Sung, paragraph 0010]**.

20. As per **claim 7**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage device including {one of } CD-ROM, CD-R, CD-RW, DVD-ROM, DVD-R, DVD-RW, DVD+R, DVD+RW and DVD-RAM servers” **[with respect to this limitation, see Jae-Sung, paragraph 0019]**.

21. As per **claim 8**, the combination of Jae-Sung and Beckert disclose “wherein said status display includes one of vacuum fluorescent display (VFD) and liquid crystal display (LCD)” **[with respect to this limitation, see Jae-Sung, fig. 2].**

22. As per **claim 9**, the combination of Jae-Sung and Beckert disclose “wherein said display is used to display the mode selection, adjustment controlling, and status indicator of said functions” **[with respect to this limitation, see Jae-Sung, paragraph 0048, which discloses “The operating panel 42 and display (preferably, VFD) 28 are installed in the front part of the multimedia device, thereby allowing the user to conveniently control the device and view the operating state of the device”. see also paragraph 0049].**

23. As per **claims 10 and 11**, the combination of Jae-Sung and Beckert disclose “wherein said personal computer includes one of a desktop computer, notebook computer, tablet computer and Macintosh computer” **[with respect to this limitation, see Jae-Sung, fig. 5].**

24. As per **claim 12**, the combination of Jae-Sung and Beckert disclose “wherein said standard interface can be one of the ATAPI-IDE, the serial ATA or SCSI, the USB 1.1/2.0 built-in or externally connected to a personal computer and a IEEE 1394 standard interface” **[with respect to this limitation, see Jae-Sung, fig. 5].**

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25. As per **claim 13**, the combination of Jae-Sung and Beckert disclose “wherein said power-on detector is used to detect the voltage on the power supply unit of a personal computer or to detect the computer host reset signal (HRST) on the connecting bus between said personal computer and said panel controller so as to confirm the on status of the power supply” **[with respect to this limitation, see Jae-Sung, paragraph 0045, which discloses “A detection port 37 is connected to the multimedia device to check voltage (for example, 0 volt) when the multimedia device is not in operation and make a power control terminal 39 active in accordance with the checked result. At this time, a control circuit 38 functions to block the supply of power from the adapter 36, thereby causing all components in the computer to be supplied with power from the main power supply 35. The current control means shown in Fig. 3 may preferably include a DC-DC converter for, when the computer is powered on, supplying 12V DC power from the main power supply 35 to the multimedia device and blocking the supply of power from the adapter 36”]**.

26. As per **claim 15**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage driving device is powered by DC or AC power supply” **[with respect to this limitation, see Jae-Sung, paragraph 0045]**.

27. **Claims 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Jae-Sung (EP 1117030) and Beckert et al. (US pat. 5,794,164) in view of Kovacevic (US 2002/0126703).

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28. As per **claim 14**, Jae-Sung and Beckert disclose “The optical storage driving device as set forth in claim 1,” [See rejection to claim 1 above], including a connecting device equipped with a power connector, a CD analogue audio output connector (see, Beckert, fig. 4), while said connecting device has a dominating bus and an input/output bus so as to increase the expandability of said optical storage driving device (see, Beckert, fig. 4, which discloses the vehicle battery having 10-16volts compare to the power supply being only 12, that’s the reason why the vehicle battery bus will dominate over an input/output bus so as to increase the expandability of said optical storage driving device. See col. 6, lines 3-18), but fail to specifically disclose a Sony-Phillips digital interface (SPDIF) output connector,.

Kovacevic discloses a Sony-Phillips digital interface (SPDIF) output connector (see paragraph 0018).

Jae-Sung (EP 1117030), Beckert et al. (US pat. 5,794,164), and Kovacevic (US 2002/0126703) are analogous art because they are from the same field of endeavor of multimedia computer device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the multimedia device for a personal computer comprising a disc player connected to a central processing unit of the personal computer as described by Jae-Sung and Beckert and a method of synchronizing the output of processed audio data to the output of processed video data as taught by Kovacevic.

The motivation for doing so would have been because Kovacevic teaches a Sony-Phillips digital interface (SPDIF) output connector help with conversion (see paragraph 0018)

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Therefore, it would have been obvious to combine Kovacevic (US 2002/0126703) and Beckert et al. (US pat. 5,794,164) with Jae-Sung (EP 1117030) for the benefit of creating a multimedia computer device for to obtain the invention as specified in claim 15.

IX. RELEVANT ART CITED BY THE EXAMINER

29. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

30. The following reference teaches a multi-functional optical disk driving device.

U.S. PATENT NUMBER

US 5,794,164

US 6,414,675

US 6,522,419

US 2002/0012531

X. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

31. The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

a(1) CLAIMS REJECTED IN THE APPLICATION

32. Per the instant office action, claims 1-15 have received a first action on the merits and are subject of a first action non-final.

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b. DIRECTION OF FUTURE CORRESPONDENCES

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

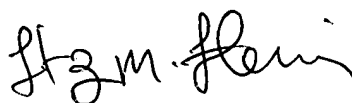
IMPORTANT NOTE

If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Fritz M. Fleming, can be reached at the following telephone number: Area Code (571) 272-4145.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 27, 2006

Ernest Unelus
Examiner
Art Unit 2181


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8/7/2006